

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 90-219-T- ORDER NO. 90-730 ✓

August 3, 1990

IN RE:	Application of Alice Lawrence)	
	d/b/a AA Travel, 120 Dorchester)	
	Manor Blvd., Charleston Heights,)	ORDER DENYING
	SC 29418, for a Class C Charter)	MOTION AND
	Certificate of Public Convenience)	RESCHEDULING
	and Necessity.)	HEARING

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of an Application filed on March 12, 1990, by Alice Lawrence d/b/a AA Travel (the Applicant) for a Class C Charter Certificate of Public Convenience and Necessity to transport passengers as follows:

BETWEEN POINTS AND PLACES IN SOUTH CAROLINA.

Subsequent to the initiation of this proceeding, the Commission Staff instructed the Applicant to cause to be published a prepared Notice of Filing in certain newspapers of general circulation in the State of South Carolina. The Notice of Filing indicated the nature of the Application and advised all interested parties desiring to participate in the proceeding of the manner and time in which to file the appropriate pleadings. The Notice of Filing was duly published in the State Register.

A Petition to Intervene was timely filed by D. R. Wismer d/b/a Sea Island Stages of Beaufort/Hilton Head (the Intervenor).

Pursuant to notice duly given, a hearing was scheduled to commence on Thursday, July 12, 1990, at 10:30 a.m. at the Offices of the Commission.

On that date, and after a 15 or 20-minute period had elapsed since the scheduled commencement time, the Chairman noted for the record that the Applicant had not appeared. Counsel for the Commission Staff thereupon moved for a continuance of the matter pending a determination of the circumstances of the Applicant's failure to appear. D.R. Wismer, appearing pro se, then moved to dismiss the instant application on grounds of the Applicant's failure to appear. The Chairman then granted the Commission Staff's motion to continue the matter, and took D. R. Wismer's motion to dismiss under advisement.

Since that time, the Commission Staff has determined that the Applicant had become confused about the hearing date in this matter, thinking that the hearing date was July 16 instead of July 12.

Based upon the above recited information, the Commission is of the opinion, and so finds, that it is in the public interest to continue the instant matter and that the confusion of the Applicant regarding the hearing date constitutes just cause to do so.

Therefore, the Commission will continue this matter until Thursday, October 18, 1990, at 2:30 p.m. at which time it will be heard in the Offices of the Commission.

In accordance with the foregoing, the Commission finds that it is in the public interest to deny D.R. Wismer's motion to dismiss

the instant application, just cause having been shown why the matter should be continued and another hearing date set.

IT IS THEREFORE ORDERED:

1. That the Motion of D.R. Wismer to dismiss the instant application be, and hereby is, denied.

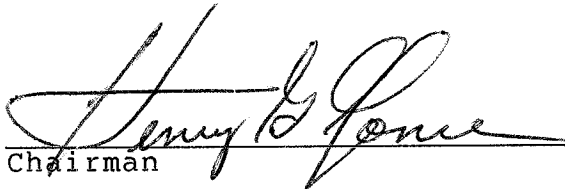
2. That this matter be, and hereby is, continued until Thursday, October 18, 1990, at 2:30 p.m. at the Offices of the Commission, then and there to be heard.

3. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

VICE

Chairman



ATTEST:


Executive Director

(SEAL)